REMARKS

Applicants appreciate the courtesy extended by the Examiner in holding a telephone interview with the undersigned on 8/16/08.

In the interview, the Examiner and the undersigned agreed on an amendment to independent claims 50 and 54 that would overcome the new-matter rejection. Claims 50 and 54 are herein amended accordingly.

The Examiner agreed to remove the withdrawal of claims 58-61, in view of this Amendment being filed with an RCE and the subject matter of claims 58-61 having been included in original claim 10 (which was later canceled).

The Examiner further agreed that independent claims 50, 54 and 58, as amended herein, would be patentable over the cited prior art, including the Phillips reference. Although Phillips discloses adjusting output power based on the telephone's position, that does not suggest adjusting output power based on the telephone's operating mode – specifically: "headset is connected" in claim 50, "speakerphone mode" in claim 54, and "external antenna" in claim 58.

The dependent claims are further distinguished from the prior art by the limitations that they add to the independent claims.

The application is therefore now in condition for allowance.

Respectfully submitted,

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